



## ***City of El Paso – City Plan Commission Staff Report***

\*\*\*\*REVISED\*\*\*\*

**Case No:** SUSU16-00050 West Towne Market Place  
**Application Type:** Major Combination  
**CPC Hearing Date:** August 25, 2016  
**Staff Planner:** Joaquin Rodriguez, (915) 212-1608  
[rodriguezjx3@elpasotexas.gov](mailto:rodriguezjx3@elpasotexas.gov)  
**Location:** N of Helen of Troy and E of I-10  
**Acreage:** 63.471 acres  
**Rep District:** 1  
**Existing Use:** Vacant  
**Existing Zoning:** C-4/sc (Commercial/special contract)  
**Proposed Zoning:** C-4/sc (Commercial/special contract)  
**Nearest Park:** Sunset Terrace City Park (.37 miles)  
**Nearest School:** Brown Middle (1 miles)  
**Park Fees Required:** \$63,470  
**Impact Fee Area:** N/A  
**Property Owner:** River Oaks Properties, LTD  
**Applicant:** River Oaks Properties, LTD  
**Representative:** SLI Engineering, Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** C-4/sc (Commercial/special contract) / general commercial  
**South:** M-1 (Manufacturing) / vacant  
**East:** C-4/sc (Commercial/special contract) / call center  
**West:** C-4/sc (Commercial/special contract) / I-10

**PLAN EL PASO DESIGNATION:** G7, Industrial and/or Railyards

### **APPLICATION DESCRIPTION**

The applicant proposes to subdivide approximately 63 acres in the City's Northwest Plan Area for two commercial lots. The subdivision will have access via Northern Pass Drive, Northwestern Drive, Paseo del Norte Boulevard and North Desert Boulevard.

The applicant is requesting a waiver to the required sidewalk and parkway improvements to the abutting substandard right-of-ways including Paseo Del Norte Boulevard and North Desert. Paseo del Norte has been previously improved and includes a wide sidewalk, hike/bike trail and mature street trees. The developer will install new sidewalks on Northern Pass and Northwestern

Drive within the existing parkway.

Additionally, the applicant is requesting an exception to allow for development within an arroyo in accordance with *19.19.010 Stormwater Management Requirements*.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends approval of West Towne Market Place subject to the following staff comments:

#### **Planning Division Recommendation**

Planning recommends approval of the waiver for roadway improvements pursuant to 19.10.050 and approval of the exception request to develop within an arroyo per section 19.19.010.

In accordance with 19.10.050 The City Plan Commission may waive such requirements to provide rights-of-way or street improvements to adjacent substandard roads based on any of the following factors:

- a. Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood; or,

The proposed development includes an area of land previously designated as a floodplain, the applicant has coordinated with FEMA and the Army Corps of Engineers to remove this designation and has provided remediation at the nearby Keystone Heritage Park for the loss of wildlife habitat associated with the development. The flood plain administrator has reviewed and approved the proposed development.

#### **Plan El Paso Goals & Policies**

The proposed application complies with the following Plan El Paso Goals and Policies:

- Goal 1.9: The regional economy depends heavily on manufacturing. The City of El Paso will designate ample land that is well-suited for industrial facilities that are best located north of the border and will ensure that industrial facilities do not adversely affect the health, safety, or welfare of the community. These policies apply to land in the G-7 “Industrial” growth sector on the Future Land Use Map.
  - Policy 1.9.5: Obsolete industrial sites and railyards pose technical challenges to redevelopment but are often ideally located within the City to offer new choices and opportunities for El Paso residents. The City should take affirmative steps to maximize this potential. These sites are generally in the G-7 “Industrial” growth sector on the Future Land Use Map (see Goal 4.11).

The proposed development will include regional commercial amenities within an underdeveloped industrial area. This development will offer valuable regional services and amenities to the rapidly expanding communities in the City’s Northwest Area.

#### **Planning and Inspections Department - Land Development**

We have reviewed subject plats and recommend **Approval**.

The Developer/Engineer shall address the following comments.

1. Proposed "30' Wide Drainage Easement" should be labeled "Public".
2. Add a note providing reference number of CLOMR on the preliminary plat general note #6.

#### **Capital Improvement Program – Parks**

We have reviewed **West Towne Market Place**, a minor combination plat map and on behalf of CID Parks Planning Division we offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-4/sc" meeting the requirements for Non-residential uses (General commercial) as well as for Residential dwellings use (Multi-family) with a minimum lot area of 750 sq. ft. per dwelling therefore "Park fees" will be assessed based on the following:

1. If applicant is proposing a Non-residential use, covenants need to be provided restricting all residential uses and if gross density waiver is granted by the City Manager of the Planning Department designee, then Applicant shall be required to pay "park fees" at a rate of **\$1,000.00** per acre or portion thereof.
2. If applicant is proposing a Residential use, covenants need to be provided restricting the number of dwelling units and if gross density waiver is granted by the City Manager of the Planning Department designee, then Applicant shall be required to pay "park fees" at a rate of **\$680.00** per dwelling unit.

Please allocate any generated funds under Park Zone: **NW-10**

Nearest Park: **Cimarron #1 Park**

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

#### **Capital Improvement Program – Transportation**

No comments received.

#### **El Paso Water Utilities**

1. EPWater does not object to this request

#### **Water**

2. Within the westernmost portion of the entire subject Property between Northern Pass Boulevard and Paseo Del Norte Boulevard, there is an existing sixteen (16) inch diameter water transmission main. This main is located within an easement east of the east right-of-way line of IH-10, and follows approximately the alignment of the east right-of-way line of IH-10. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations.
3. Within the southern portion of the subject Property, east of IH-10 and north of Paseo Del Norte Drive there is an existing thirty-six (36) inch diameter water transmission main. This main ingresses from Paseo Del Norte Boulevard into the subject Property at approximately 735 feet east of IH-10. The alignment of this main is parallel to Paseo Del Norte Boulevard and it is located within an easement. East of the corner of IH-10 and

Paseo Del Norte Boulevard the alignment of this main continues north approximately parallel to IH-10 inside the subject property within an easement. This easement is in addition to the easement described in the previous paragraph pertaining to the 16-inch diameter water transmission main. At approximately 470 feet north of Paseo Del Norte Boulevard, the alignment of this main changes direction towards the west, egresses the subject Property and transects IH-10. No direct service connections are allowed to this 36-inch diameter water transmission main as per the El Paso Water - Public Service Board Rules & Regulations.

4. There is an existing eight (8) inch diameter water main along Northern Pass Boulevard. This main is available for service.
5. There is an existing twelve (12) inch diameter water main along Northwestern Drive. This main is available for service.
6. There is an existing twelve (12) inch diameter water main along Paseo Del Norte Boulevard. This main is available for service.
7. Previous water pressure readings conducted on fire hydrant number 5775 located at the corner of Northern Pass Boulevard and IH-10 have yielded a static pressure of 132 pounds per square inch (psi), residual pressure of 130 psi, discharge of 919 gallons per minute (gpm). The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

### **Sanitary Sewer**

8. There is an existing 15-inch diameter sanitary sewer main that extends along Paseo Del Norte Blvd. then the main extends along an existing easement along the southern portion of the property's western property line.
9. There is an existing 12-inch diameter sanitary sewer main that extends along Paseo del Norte Blvd. then the main extends along an easement along the southern portion of the property's western property line.
10. There is an (inactive) eight (8) inch diameter pressurized sanitary sewer main (force main). This main is located within an easement along the northern portion of the property's western property line.
11. There is an abandoned (inactive) eight (8) inch diameter pressurized sanitary sewer main (force main) that extends along the western portion of the property.
12. There is an existing eight (8) inch diameter sanitary sewer main that extends along Northern Pass Boulevard. At approximately 180 feet east of the intersection of Northwestern Drive and IH-10 the alignment of this main changes direction towards the

north. Between the point at which the main changes alignment towards the north and IH-10 along Northwestern Drive there are no existing sanitary sewer mains fronting the subject Property. The described sanitary sewer main is available for service.

13. Along Northwestern Drive between Northern Pass Boulevard and Paseo Del Norte Boulevard there is an existing eight (8) inch diameter sanitary sewer main. This main is available for service.

#### **General**

14. The El Paso Water – Public Service Board (EPWATER-PSB) requires a complete set of improvement plans, and grading plans for review and approval prior to any work pertaining to the portion of the Property where the above-described water and sanitary sewer mains are located. This is required in order to ascertain that the proposed improvements and/or grading will not adversely affect the described existing mains.
15. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWATER-PSB Easement Policy.
16. EPWATER-PSB requires access to the existing sanitary sewer mains within the easements 24 hours a day, seven (7) days a week.
17. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water - Public Service Board Easements (EPWATER-PSB easements) without the written consent of EPWATER-PSB.

EPWATER requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWATER – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions

#### **Streets and Maintenance Department**

The Traffic Impact Analysis shows required mitigation at the intersection of Artcraft and North Desert for the installation of an over pass ramp to be completed by TXDOT.

#### **El Paso Electric Company**

No comments Received.

#### **Sun Metro**

Sun Metro does not oppose this request.

#### **TxDOT**

The TIA refers to a direct connect from I-10 to Artcraft and also to two emails received that

indicate a project to be done by TxDOT. TxDOT does not currently have any projects proposed at this intersection in the MTP. TxDOT will be conducting a corridor study for I-10 in the near future with HDR as the consultant, which will identify projects for the next twenty years. However, there are no projects currently identified nor planned. It is inaccurate to state that a project will be done to address the issues as it is stated.

Additionally, the TIA states that the driveways have been coordinated and approved by TxDOT. Please provide date and approval by the Access Management Committee.

**El Paso Fire Department**

No comments received.

**Central Appraisal District**

No objections.

**Texas Gas Company**

No comments received.

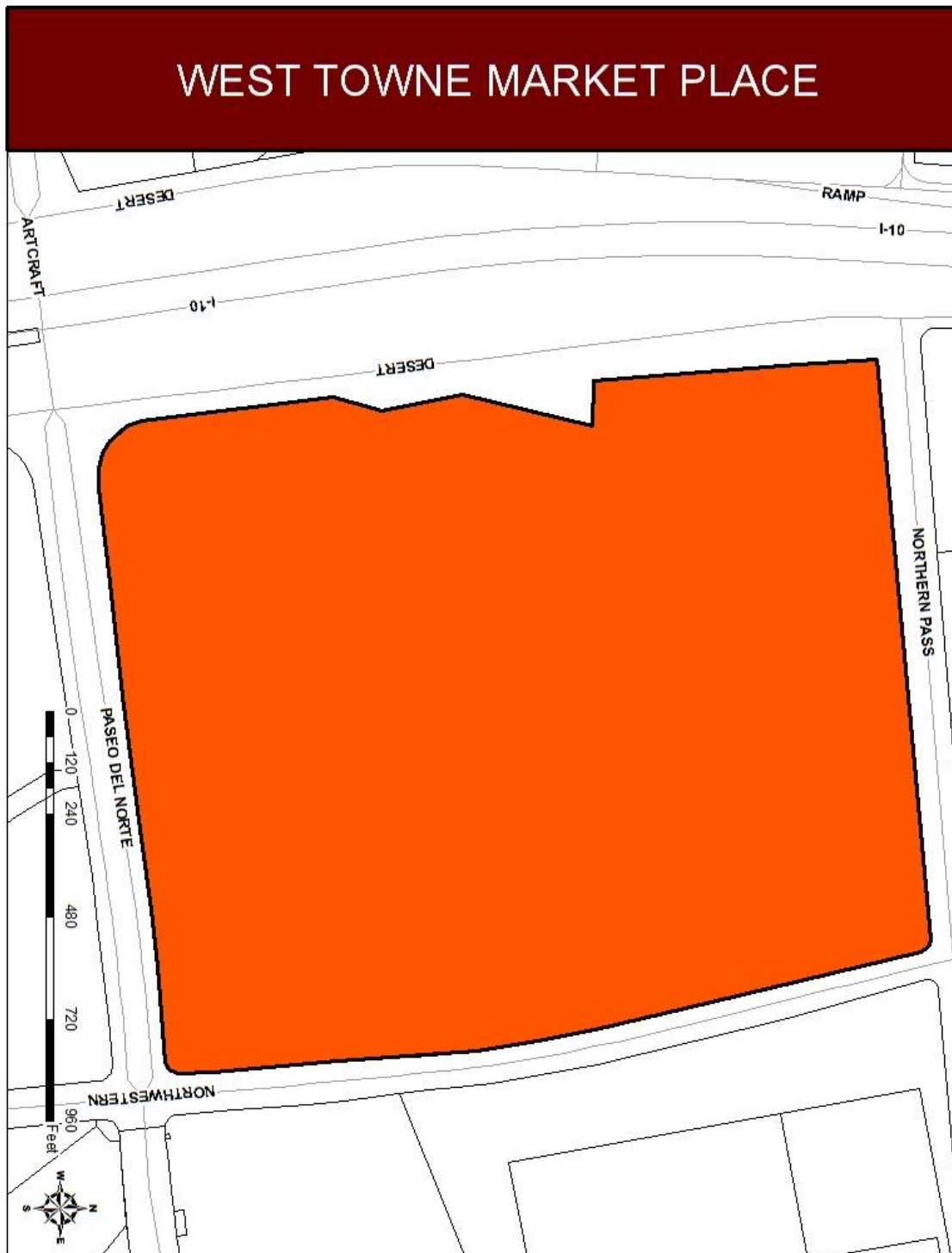
**Additional Requirements and General Comments:**

1. Submit to the Planning and Inspections Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

**Attachments**

1. Location map
2. Aerial map
3. Preliminary Plat
4. Final Plat
5. Application
6. Waiver Request
7. Exception Request
8. Floodplain Approval Letter

ATTACHMENT 1



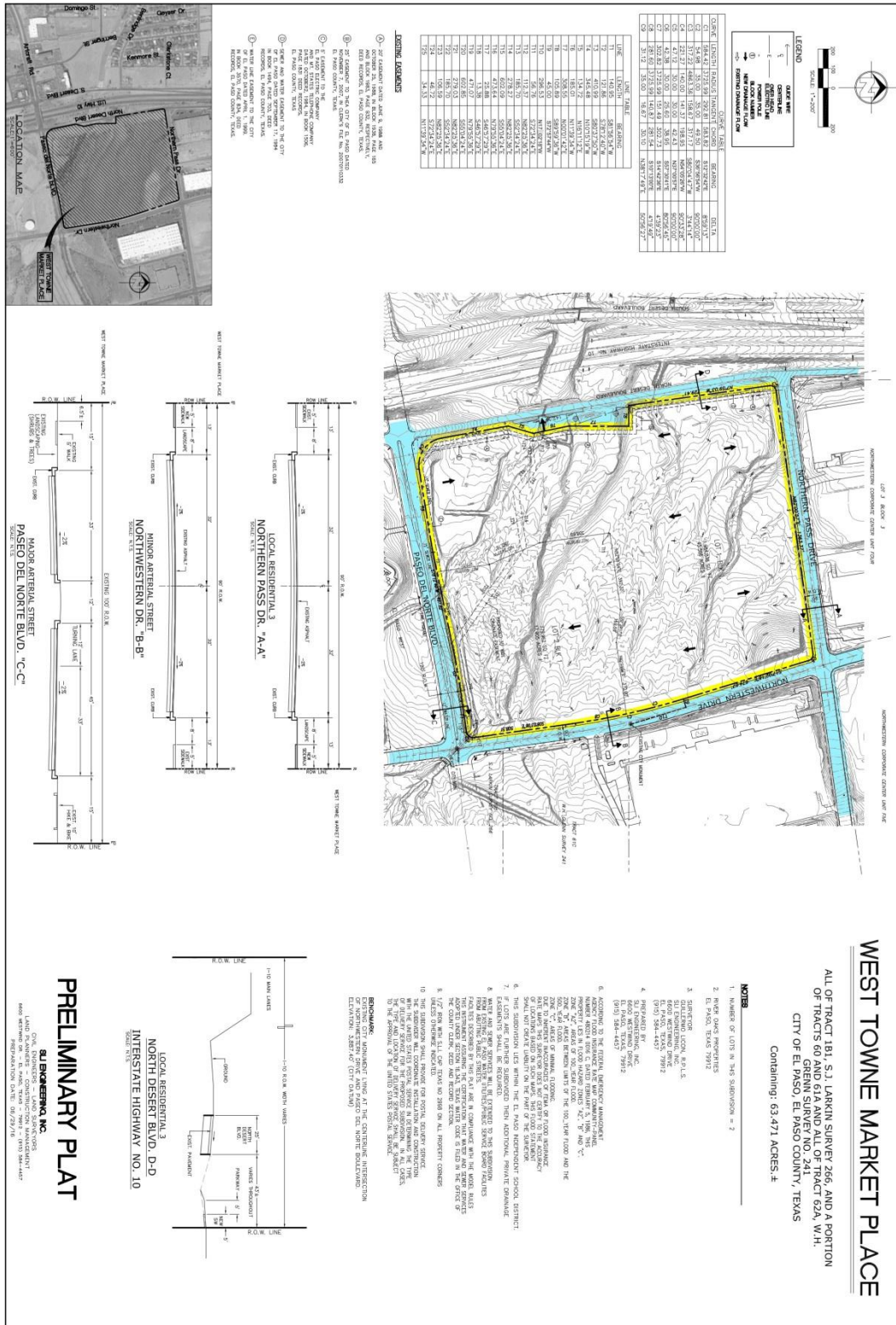


ATTACHMENT 2

WEST TOWNE MARKET PLACE



SUSU16-00050





SUSU16-00050

# WEST TOWNE MARKET PLACE

ALL OF TRACT 181, S.J. LARKIN SURVEY 266, AND A PORTION  
OF TRACTS 60 AND 61A AND ALL OF TRACT 62A, W.H.  
GRIFFIN SURVEY NO. 241  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

## DECLARATION

STATE OF TEXAS  
COUNTY OF EL PASO

HIGH OAK PROPERTIES, LTD., OWNER OF THIS LAND, HEREBY PRESENTS THIS MAP AND DECLARATES TO THE USE OF THE PUBLIC, THE DRAINAGE (AS SHOWN), AS HEREON Laid DOWN AND DESIGNATED.

PRUDOM'S PROPERTIES, LTD.  
ADAM Z. FRANK, PRESIDENT.

## ACKNOWLEDGEMENT

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016 A.D. PERSONALLY APPEARED KNOWN TO ME TO BE THE PERSON WHOSE NAME IS ABOVE SET FORTH,

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NOT COMMISSIONED REPORT TO

CITY PLAN COMMISSION

\_\_\_\_\_, 2016 A.D.,  
DAY OF \_\_\_\_\_, IN ACCORDANCE WITH CHAPTER 212 OF THE LOCAL GOVERNMENT CODE OF TEXAS THIS

EXECUTIVE SECRETARY CHAFFETSON

0.125

[illegible]

\_\_\_\_\_  
COUNTY CLERK

\_\_\_\_\_  
BY DEPUTY

THIS PRACTICE WILL BE IN VIOLATION OF THE BOARD OF PROFESSIONAL LAND SURVEYING PROFESSIONAL COMPLIANCE WITH THE CURRENT TEXAS BOARD OF PROFESSIONAL LAND SURVEYING PROFESSIONAL AND TECHNICAL STANDARDS



GUILLERMO LOCON



**SIL ENGINEERING, INC.**  
ONE EIGHTH AVENUE - 14TH FLOOR  
NEW YORK, NY 10011-3209

RECD WLS19WD DR. - EL PASO, TEXAS - 79972 - (915) 504-4457  
PREPARATION DATE: 05/25/16

## ATTACHMENT 5



### CITY PLAN COMMISSION APPLICATION FOR MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 7-6-16

FILE NO. SUSU16-00050

SUBDIVISION NAME: WEST TOWNE MARKETPLACE

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
ALL OF TRACT 1B, S.J. LARKIN SURVEY 266, AND A PORTION OF TRACTS 60 AND 61A AND ALL OF TRACT 62A, W.H. GREEN SURVEY NO. 241 CITY OF EL PASO, EL PASO COUNTY TEXAS CONTAINING 63.471
2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	_____	_____	_____
Commercial	<u>63.471</u>	<u>2</u>	Total No. Sites	<u>63.471</u>	<u>2</u>
Industrial	_____	_____	Total (Gross) Acreage	_____	_____
3. What is existing zoning of the above described property? C4-S Proposed zoning? \_\_\_\_\_
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No \_\_\_\_\_
5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one)  
SURFACE
7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No X  
If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_
9. Remarks and/or explanation of special circumstances: \_\_\_\_\_
10. Improvement Plans submitted? Yes \_\_\_\_\_ No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes \_\_\_\_\_ No X  
If yes, please submit a vested rights petition in accordance with Title I (General Provisions) Chapter 1.04 - Vested Rights

City Development Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

RIVER OAKS

12. Owner of record PROPERTIES 106 MESA PARK DRIVE EL PASO, TX 79912 (915)225-7718  
 (Name and address) (Zip) (Phone)

RIVER OAKS

13. Developer PROPERTIES 106 MESA PARK DRIVE EL PASO, TX 79912 (915)225-7718  
 (Name and address) (Zip) (Phone)

14. Engineer SLI ENGINEERING 6600 WESTWIND DR 79912 -915 584-4457  
 (Name and address) (Zip) (Phone)

**CASHIER'S VALIDATION**

FEE ~~\$651.00~~ 2,279.39

OWNER SIGNATURE:

REPRESENTATIVE:

*[Handwritten signature: Stan M. Hargan]*  
*[Handwritten signature]*

**NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR  
 PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION  
 FOR ACCURACY AND COMPLETENESS**

## ATTACHMENT 6



Page 1 of 2

July 5, 2016

Guillermo Licón, P.E.  
President

Armida Martinez  
Planning Division  
City of El Paso  
711 Texas Street  
El Paso Texas

Dear Ms. Martinez

**Subject: West Towne Market Place Subdivision waiver request.**

River Oaks Properties, LTD cordially requests a waiver for **Code No. 19.10.050 - Roadway participation policies—Improvement of roads and utilities within and or abutting the subdivision of the Municipal Code**, to eliminate the following conditions:

- The construction of any improvements on Paseo Del Norte Blvd and to keep the existing configuration of the street. This condition was requested by your office as a comment on the subdivision listed above. The north side of Paseo Del Norte Blvd has a 5 ft sidewalk and 10 feet of parkways. The sidewalk is in great condition and the parkway consists of mature trees and landscaping to include street lighting. Also there is a 10 ft hike and bike path along the south side of Paseo Del Norte. Granting the waiver will actually allow the developer to leave the configuration of the street as it exists today. This configuration will not be detrimental to the public health, safety and welfare and will be in character with the neighborhood.
- The construction of any improvements on North Desert Blvd and to keep the existing configuration of the street. This condition was requested by your office as a comment on the subdivision listed above. The street serves as a frontage road to the Interstate Highway 10. The speed limit is 55 miles per hour.

Civil Engineers  
Land Surveyors & Planners  
Construction Management

Licensed Registered Engineers  
Texas - New Mexico  
Arizona - Colorado

6600 Westwind Drive  
El Paso, TX 79912  
Phone (915) 584-4457  
Fax (915) 581-7756

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## ATTACHMENT 7



Page 1 of 1

July 17, 2016

Guillermo Lióon, P.E.  
President

Joaquin Rodriguez, CNU-A  
Planner, Subdivisions  
Planning & Inspections - Planning Division |  
City of El Paso  
801 Texas Avenue

Re: West Towne Market Place

We cordially request an exception to section 19.19.010 (F) of the municipal code to develop within the existing drainage ditch. The ditch is being used to convey storm water runoff from Northwestern and Paseo Del Norte to IH-10. The proposed development will enhance the conveyance by building an enclosed concrete drainage system to convey the storm water runoff.

This exception will meet the requirements of [Chapter 19.48](#) and is necessary to protect the public health, safety or welfare.

Thank you for your assistance.

Sincerely;

A handwritten signature in black ink, appearing to read "Georges Halloul", is written over a large, light-colored oval. Below the signature, the name "Georges Halloul" and the company "SLI Engineering, Inc." are printed in a black, sans-serif font.

Georges Halloul  
SLI Engineering, Inc.

Civil Engineers  
Land Surveyors & Planners  
Construction Management

Licensed Registered Engineers  
Texas - New Mexico  
Arizona - Colorado

6600 Westwind Drive  
El Paso, TX 79912  
Phone (915) 584-4457  
Fax (915) 581-7756

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## ATTACHMENT 8



### Planning & Inspections Department

Mayor  
Oscar Leeser

**TO: Joaquin Rodriguez  
Planner**

City Council  
  
District 1  
Peter Svarzbein

**FROM: Kareem Dallo P.E.  
Engineering Division Manager & Floodplain  
Administrator**

District 2  
Jim Tolbert

**DATE: July 19, 2016**

District 3  
Emma Acosta

**RE: West Town Market Place**

District 4  
Carl L. Robinson

District 5  
Dr. Michiel R. Noe

District 6  
Claudia Ordaz

District 7  
Lily Limón

District 8  
Cortney C. Niland

City Manager  
Tommy Gonzalez

The Flood Plain Administrator has made a determination that modifications are required to a portion of the arroyo within the proposed West Town Market Place. The reason of the modifications is for the purpose of protecting the health, safety and welfare of the public.

Therefore, my recommendation to the City Plan Commission is that an exception should be granted to the preservation of natural arroyos to allow some improvements. These improvements shall comply with all Federal, State and local mandates, and meet the requirements of Chapter 19.48 (Petition for waiver or exceptions). Any areas impacted by the proposed improvements, shall be reasonably safe from flooding and said improvements are included within the Subdivision Improvement plans to be reviewed and approved by Land Development Division of the Planning and Inspections Department.

Larry F. Nichols – Department Head  
City 3 | 801 Texas Ave | El Paso, Texas 79901 | (915) 212-0083

*"Delivering Outstanding Services"*